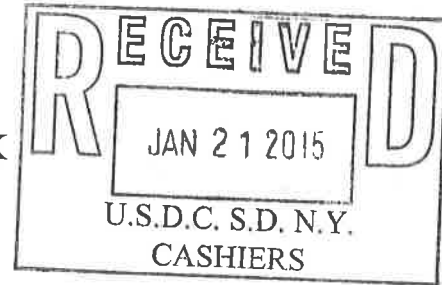


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15 CV 00433

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



Sikhs For Justice "SFJ", INC.,

)  
) Civ. No. \_\_\_\_\_

Plaintiff,

) COMPLAINT  
) FOR DECLARATORY  
) JUDGMENT  
) AND  
) WRIT OF MANDAMUS

v.

JOHN KERRY,  
in his official capacity as  
U.S. SECRETARY OF STATE,

Defendant.

Plaintiff, by and through its attorney, allege the following:

COMPLAINT

I. PRELIMINARY STATEMENT AND STATEMENT OF FACTS

This complaint asks the court to issue a Judgment declaring India's Hindu supremacist group known as "Rashtriya Swayamsevak Sangh" ("RSS") as a "foreign terrorist organization" (FTO), for believing in and practicing a

fascist ideology<sup>1</sup> and for running a passionate, vicious and violent campaign to turn India into a "Hindu" nation with a homogeneous religious and cultural identity.

The basis for this complaint involves immense concerns that RSS tactics, targeting, and fundraising operations, appear to be increasingly international in scope, including within the United States<sup>2</sup> and to ensure that the US Federal Government recognizes a truly potential and systematically growing critical terrorist threat.

The crimes of RSS targeting the religious minorities of India include but not limited to, instigating June 1984 military attack against holiest Sikh shrine the Golden Temple resulting in desecration of the temple massacre of thousands of pilgrims; 1992 demolition of historical Babri Mosque; burning Churches and rape of Christian nuns in Orissa and elsewhere during 2008; 2002 massacre of Muslims in Gujarat; attack on several other places of worship belonging to different religious minorities; bombing of public places such as trains and buses.

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<sup>1</sup> <http://www.ibtimes.com/hindu-nationalists-historical-links-nazism-fascism-214222>

<sup>2</sup> See Report "Hindu Nationalism In The United States: A Report On Nonprofit Groups" available at <http://www.sacw.net/article9057.html>  
*also see* Report "The Foreign Exchange of Hate- IDRF and the American Funding of Hindutva" available online at <http://www.sabrang.com/hnfund/sacw/>

While Sikhs, one of the religious minorities of India, has been stripped off its religious identity through Article 25(b)<sup>3</sup> of the Constitution of India which labels "Sikhs" as "Hindus", Christian and Muslim communities are being targeted by RSS with new zeal ever since Modi became Prime Minister, to accomplish its agenda of turning India into a "Hindu" nation. On August 11, 2014 RSS Chief Mohan Bhagwat unequivocally announced his party's agenda by stating that, "*The entire world recognizes Indians as Hindus therefore India is a Hindu state*"<sup>4</sup>. In December 2014, RSS launched a nation-wide campaign called "The Home Coming" to forcibly convert Christians and Muslims to Hindus<sup>5</sup> resulting into engulfing of thousands of members of religious minorities into "Hindu fold".

In December, 2014, Sikhs For Justice "SFJ" Inc., a non-profit human rights advocacy group wrote to the Defendant, U.S. Secretary of State requesting that the organization "Rashtriya Swayamsevak Sangh" ("RSS") along with its affiliates and subsidiaries be designated as a "Foreign Terrorist Organization" (FTO), in accordance with Section 219 of the Immigration

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<sup>3</sup> <http://www.tribuneindia.com/news/punjab/after-3-decades-sikh-demand-for-separate-status-gains-force-again/19096.html>

<sup>4</sup> <http://www.ndtv.com/article/india/citizens-of-hindustan-hindus-rss-chief-mohan-bhagwat-s-comment-sparks-outrage-574112>

<sup>5</sup> <http://www.thehindu.com/sunday-anchor/conversion-confusion-forced-into-homecoming/article6711441.ece>

and Nationality Act (INA), as amended, and designate RSS as a Specially Designated Global Terrorist entity (SDGT) under Executive Order 13224 pursuant to the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)(IEEPA), the National Emergencies Act (50 U.S.C. 1601 et seq.), section 5 of the United Nations Participation Act of 1945, as amended (22 U.S.C. 287c)(UNPA), and section 301 of title 3, United States Code and Section 140(d)(2) of Foreign Relations Authorizations (FRA) Act.

#### **A. President's Executive Order 13224**

The Executive Order 13224 was signed by President Bush on September 23, 2001 following the September 11, 2001 terrorist attacks on the United States of America and allows for a way to disrupt or block the assets in the “financial support network for terrorists” and “terrorist organizations” by allowing the U.S. government to designate certain entities as “Foreign Terrorist Organizations” (“FTO”) when they pose a significant risk of terrorism.<sup>6</sup>

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<sup>6</sup> [http://en.wikipedia.org/wiki/Executive\\_Order\\_13224](http://en.wikipedia.org/wiki/Executive_Order_13224)

## **B. RSS Terrorist Activities**

RSS is such an organization that ought to be designated an FTO by the U.S. government because it poses a significant risk of terrorism to the U.S. and the world. The following is a non-exhaustive list of activities where RSS members or affiliates were involved in spreading their hatred and fear-mongering ideologies that are often carried out through violent means.

1. 2010 - A former RSS member and known Indian activist-terrorist, Swami Aseemanand, had planned terror attacks on Ajmer Sharif, Mecca Masjid, and the 2006 Malegaon blasts, as well as the 2007 Samjhauta Express bombings and was arrested in 2010 where he confessed to the acts and bombing of Muslim religious places as revengeful response to Muslim terrorism with “a bomb for bomb” policy. He later stated in an interview with The Caravan magazine that “some of the worst terror attacks in India were sanctioned by the [RSS]....”<sup>7</sup>
2. 2009 - The Indian Home Secretary Raj Kumar Singh said that at least 10 people having close links with RSS and its affiliates were named accused in various acts of terror across India. Congress (I) party's general secretary Rahul Gandhi remarked to US Ambassador Timothy Roemer,

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<sup>7</sup>[http://en.wikipedia.org/wiki/Swami\\_Aseemanand](http://en.wikipedia.org/wiki/Swami_Aseemanand)

at the residence of the Prime Minister of India in July 2009, that the RSS was a "bigger threat" to India than the Lashkar-e-Tayiba. Panchjanya.<sup>8</sup>

3. 2008 Malegaon blasts; September 29, 2008.<sup>9</sup>

4. 2007 Samjhauta Express bombings; midnight on February 18, 2007.<sup>10</sup>

5. Ajmer Dargah attack; October 11, 2007.<sup>11</sup>

6. Mecca Masjid bombing; May 18, 2007.<sup>12</sup>

7. Jan. 30, 1948 - Mahatma Gandhi, architect of India's freedom struggle was assassinated, shot dead at point-blank range, by confessed Hindu nationalist Nathuram Godse<sup>13</sup>, a member of RSS.

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<sup>8</sup> [http://en.wikipedia.org/wiki/Saffron\\_terror](http://en.wikipedia.org/wiki/Saffron_terror)

<sup>9</sup> [http://en.wikipedia.org/wiki/29\\_September\\_2008\\_western\\_India\\_bombings](http://en.wikipedia.org/wiki/29_September_2008_western_India_bombings); <http://timesofindia.indiatimes.com/india/2008-Malegaon-blast-accused-held-for-2006-case-too/articleshow/17879584.cms>; <http://www.firstpost.com/india/2008-malegaon-blasts-hc-seeks-nia-response-to-accuseds-petition-1003903.html>; <http://www.thehindu.com/news/national/other-states/hc-denies-bail-to-sadhvi-pragya-in-malegaon-blast-case/article5871947.ece>

<sup>10</sup> <http://www.ipcs.org/article/india/samjhauta-express-blast-vs-mumbai-terror-attacks-3328.html>; <http://www.hindustantimes.com/comment/sitaramyechury/zero-tolerance-please/article1-998308.aspx>;

<sup>11</sup> [http://en.wikipedia.org/wiki/Ajmer\\_Dargah\\_attack](http://en.wikipedia.org/wiki/Ajmer_Dargah_attack); [http://wikileaks.org/gifiles/docs/36/361294\\_india-two-killed-17-injured-in-ajmer-shrine-blast-re-os.html](http://wikileaks.org/gifiles/docs/36/361294_india-two-killed-17-injured-in-ajmer-shrine-blast-re-os.html)

<sup>12</sup> [http://en.wikipedia.org/wiki/Mecca\\_Masjid\\_bombing](http://en.wikipedia.org/wiki/Mecca_Masjid_bombing); <http://www.thehindu.com/news/cities/Hyderabad/hc-cancels-bail-of-mecca-masjid-blast-accused/article4631055.ece>; [http://articles.economictimes.indiatimes.com/2010-12-23/news/27611940\\_1\\_ramchandra-kalsangra-alias-ramji-label-hindus-and-saffron-cell-phone-triggered-pipe-bomb](http://articles.economictimes.indiatimes.com/2010-12-23/news/27611940_1_ramchandra-kalsangra-alias-ramji-label-hindus-and-saffron-cell-phone-triggered-pipe-bomb)

<sup>13</sup> <http://www.bloombergview.com/articles/2015-01-05/in-india-a-campaign-to-glorify-mahatma-gandhis-assassin>

### **C. RSS: A brief history**

A brief history of RSS, an organization set up and run as an ultra-religious, fundamentalist, extremist and Hindu supremacist group is as follows. RSS was founded on Vijayadasami Day, 27 September 1925 as a social organization to ostensibly to provide character training through Hindu discipline, to unite the Hindu community in overcoming caste-based divisions, to counter British colonialism in India, and to suppress Muslim separatism. It proclaims its ideal as upholding Indian culture and civilizational [sic] values more than anything else.”<sup>14</sup> RSS has been criticized as a paramilitary and extremist group. Since its inception and early days of existence, RSS is known for its violent ideologies and practices.

It is noteworthy that assassination of India's leader of world fame, Mahatma Gandhi was planned by RSS and was carried out by one its loyal activist. RSS was banned during the British rule, and then thrice by the post-independence Indian government — first in 1948 when Nathuram Godse, a former RSS member, assassinated Mahatma Gandhi; then during the emergency (1975–77); and after the demolition of Babri Masjid in 1992.

SFJ's letter based this request, in part, on a July 2014 report on nonprofit groups entitled “Hindu Nationalism in the United States: A Report on

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<sup>14</sup> [http://en.wikipedia.org/wiki/Rashtriya\\_Swayamsevak\\_Sangh](http://en.wikipedia.org/wiki/Rashtriya_Swayamsevak_Sangh)



Nonprofit Groups”<sup>15</sup> that compiles records, articles, and materials on non-profit groups in the United States affiliated with the Sangh Parivar family of Hindu Nationalist groups, including RSS, that promote and effectuate a form of Hindu Nationalism that directly causes significant physical, mental, and emotional harm to civilian minority religions in India and their members presently residing in the United States. Known for the neologism Saffron or Hindutva Terror, the RSS has been engaged in acts of violence over recent years motivated in support of Hindu nationalism. RSS has several affiliate organizations such as Vishva Hindu Parishad, Akhil Bharatiya Vidyarthi Parishad, Vanavasi Kalyan Ashram and others. Examples of this violence by Hindu extremist organizations such as RSS and its affiliates include the 2002 Gujarat Massacre of the Muslim people, the aftermath of the September 29, 2008 bomb blast in the predominantly Muslim town of Malegaon in Maharashtra, the 2006 Malegaon blasts, Mecca Masjid bombing (Hyderabad), the 2007 Samjhauta Express bombings<sup>16</sup>, whereupon Swami Aseemanand, a pracharak<sup>17</sup> of the RSS confessed to involvement in the

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<sup>15</sup>[https://indianvalueeducation.files.wordpress.com/2014/06/us\\_hindunationalism\\_nonprofits.pdf](https://indianvalueeducation.files.wordpress.com/2014/06/us_hindunationalism_nonprofits.pdf)

<sup>16</sup>[http://en.wikipedia.org/wiki/Saffron\\_terror](http://en.wikipedia.org/wiki/Saffron_terror);

[http://en.wikipedia.org/wiki/2007\\_Samjhauta\\_Express\\_bombings](http://en.wikipedia.org/wiki/2007_Samjhauta_Express_bombings)

<sup>17</sup> An RSS Pracharak is a full time worker in the Rashtriya Swayamsevak Sangh (RSS). Pracharaks are dedicated to spreading the ideology of the RSS through personal contact, meetings, and public lectures.



bombing, and the Ajmer sharif dargah blast<sup>18</sup>. Further, the Indian Home Secretary Raj Kumar Singh noted that a minimum of ten people who had close ties to RSS and its affiliates were named accused in various acts of terror across India.<sup>19</sup> The General Secretary, Rahul Gandhi, of the Indian National Congress Party (“Congress (I)”), the ruling party in India, noted to US Ambassador Timothy Roemer, that the RSS was a “bigger threat” to India than Lashkar-e-Tayiba.<sup>20</sup> There is evidence of RSS and its affiliates being responsible for bomb threats throughout the country of India.

Further, RSS is an organization criticized as a paramilitary and extremist group. RSS is a “National Volunteer Organization” or “National Patriotic Organization” and known as “a right-wing charitable, educational, volunteer, Hindu nationalist, non-governmental organization and the world's largest voluntary non-governmental organization with a self-proclaimed ideology based on the principle of selfless service to India.” “RSS was founded on Vijayadasami Day, 27 September 1925 as a social organization to provide character training through Hindu discipline, to unite the Hindu community in overcoming caste-based divisions, to counter British colonialism in India,

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<sup>18</sup> [http://en.wikipedia.org/wiki/Ajmer\\_Dargah\\_attack](http://en.wikipedia.org/wiki/Ajmer_Dargah_attack)

<sup>19</sup> [http://en.wikipedia.org/wiki/Saffron\\_terror](http://en.wikipedia.org/wiki/Saffron_terror)

<sup>20</sup> Lashkar –e-Tayiba is one of the most notorious terrorist groups in India, also known as Army of the Righteous, is one of the largest and most proficient of the Kashmir-focused militant groups.

and to suppress Muslim separatism. It proclaims its ideal as upholding Indian culture and civilizational [sic] values more than anything else.”<sup>21</sup> RSS has been criticized as a paramilitary and extremist group.

It is noteworthy that the father of all of India, Mahatma Gandhi was assassinated by an RSS extremist and terrorist. “[RSS] was banned during the British rule, and then thrice by the post-independence Indian government — first in 1948 when Nathuram Godse, a former RSS member, assassinated Mahatma Gandhi; then during the emergency (1975–77); and after the demolition of Babri Masjid in 1992. The ban imposed in February 1948 was withdrawn unconditionally in July 1948. The ban during 1975-77 was a part of the illegal suspension of individual and collective human rights during the emergency. After Indira Gandhi lost the elections, the new government withdrew restrictions on human rights. The ban in 1992 was lifted in the absence of material evidence for supporting a ban.”<sup>22</sup>

#### **D. Indian Prime Minister Narendra Modi's involvement with RSS**

There has been a widespread notoriety and publication campaign regarding the Hindu nationalists forced conversions of minority religions in India, including both Christians and Muslims. Recently in Agra, India there were

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<sup>21</sup> [http://en.wikipedia.org/wiki/Rashtriya\\_Swayamsevak\\_Sangh](http://en.wikipedia.org/wiki/Rashtriya_Swayamsevak_Sangh)

<sup>22</sup> [http://en.wikipedia.org/wiki/Rashtriya\\_Swayamsevak\\_Sangh](http://en.wikipedia.org/wiki/Rashtriya_Swayamsevak_Sangh)

nearly 200 Muslims who were converted to Hinduism by RSS. RSS is described as the “ideological wing of the governing Bharatiya Janata Party” of which current Indian Prime Minister Narendra Modi was an employee.<sup>23</sup> In fact, it is known that Prime Minister Modi begun his political career with RSS as a full-time RSS worker.<sup>24</sup> Despite the government of India’s denial that Prime Minister Modi is currently involved with RSS, it is clear his past affiliation and mix of current ideologies creates an unstable element for the international community. The media continues to report that RSS is “a sectarian, militant group, which believes in the ‘supremacy of Hindus’ and ‘preaches hate’ against Muslims and Christian minorities.”<sup>25</sup>

PM Modi's involvement with RSS is an established fact. According to Washington Post report of July 07, 2014, “Modi joined an RSS children’s group in his village in the western state of Gujarat, following morning drills like Pandiarajan’s. In 1971, he became a pracharak. They vow to follow an austere lifestyle — earning no salary and cutting ties

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<sup>23</sup> [http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?\\_r=0](http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?_r=0)

<sup>24</sup> <http://www.bbc.com/news/world-asia-india-29593336>

<sup>25</sup> <http://www.bbc.com/news/world-asia-india-29593336>

with their families — and dedicate themselves to spreading the RSS ideology<sup>26</sup>".

#### **E. Comparison of RSS to designated FTO Nigerian Boko Haram**

The case of "Boko Haram", a Nigerian organization designated by the U.S. Secretary of State as an FTO in November 2013<sup>27</sup>, lives by the motto "convert or die" in its actions against religious minorities specifically the conversion of Christians.<sup>28</sup>

RSS is very similar in both modus operandi and ideological structure. RSS has begun a systematic endeavor with its recent campaign to convert Muslims to Hindus a campaign entitled "ghar wapsi"<sup>29</sup> or "Home Coming."<sup>30</sup> RSS intends to carry out this campaign with an ideologically vengeful spirit of retaliating against the conversion of Hindus to Christianity and Islam in

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<sup>26</sup> [http://www.washingtonpost.com/pb/world/inside-the-rss-indias-hindu-nationalist-movement-where-modi-got-his-start/2014/06/05/96800738-7094-4bdd-a0f3-85d534ef82cd\\_story.html?resType=accessibility](http://www.washingtonpost.com/pb/world/inside-the-rss-indias-hindu-nationalist-movement-where-modi-got-his-start/2014/06/05/96800738-7094-4bdd-a0f3-85d534ef82cd_story.html?resType=accessibility)

<sup>27</sup> [http://en.wikipedia.org/wiki/Boko\\_Haram](http://en.wikipedia.org/wiki/Boko_Haram)

<sup>28</sup> <http://www.foxnews.com/world/2013/11/19/convert-or-die-nigerian-terrorist-group-boko-haram-tells-christian-women/>

<sup>29</sup> <http://www.hindustantimes.com/punjab/amritsar/despite-akali-stand-rss-set-to-bring-back-30-mazhabi-christians-back-to-sikh-fold-ghar-wapsi-to-be-held-at-gurdwara/article1-1301552.aspx>

<sup>30</sup> [http://www.nytimes.com/2014/12/26/opinion/religious-intolerance-in-india.html?\\_r=0](http://www.nytimes.com/2014/12/26/opinion/religious-intolerance-in-india.html?_r=0)

the past. RSS intends to use any means necessary including violent means to achieve their objective.

Boko Haram, founded in 2002, was designated as an FTO because of its role in the extrajudicial killing over 5,000 civilians from July 2009 to June 2014. Boko Haram was engaged in serious terrorist attacks throughout northeast, north central and central Nigeria as well as maintaining corruption with the government in sanctioning human rights abuses by security and police forces. Boko Haram was also engaged in the abduction of over 500 women and children in April 2014 and also caused the forced exile and dislocation of nearly 650,000 people by August 2014.

Boko Haram has a radical ideology that uses violence to achieve its objectives since 2009 with the unexpected execution of its leader and resurgence, following a mass prison break in September 2010. What was spawned from this outrageous series of events were “ increasingly sophisticated attacks”, including suicide bombings, targeting government installations and religious minorities. The government had to declare a state of emergency.

RSS therefore should be designated as an FTO because of uncanny similarities to Boko Haram including government corruption as RSS has been shown to have almost exclusive ties to the governing BJP; preparation

for a systematic surge of violence to carry out their “Home Coming” campaign similar in many ways, if not identical, to the Boko Haram campaign of “convert or die”; and the use of violence in targeting of religious minorities in a vengeance for alleged past conversion and persecution against them.

#### **F. More RSS activities**

1. Arson of a catholic church in India following mass forced conversions of nearly 200 Muslims and Christians to Hinduism in India “by an offshoot of the powerful Rashtriya Swayamsevak Sangh, a Hindu nationalist group that is the ideological wing of the governing Bharatiya Janata Party and that once employed the prime minister, Narendra Modi... a divisive figure; when he was chief minister of Gujarat State, religious rioting there in 2002 left more than 1,000 people dead, mostly Muslims. But he came to national power promising to focus on India’s economic development while moderating his Hindu nationalism.”<sup>31</sup> The leader of “Rashtriya Swayamsevak Sangh, Mohan Bhagwat, has promised to press ahead with the conversions, which his group has called

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<sup>31</sup> [http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?\\_r=1](http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?_r=1)

‘homecomings.’”<sup>32</sup> The article linked below reports the mass forced conversions of hundreds in forced or tricked ceremonies by allurement or fraud and “vote banks” with the endgame of annihilating religious minorities in India and the government under Prime Minister Narendra Modi fails to take action against it.

2. Many Muslims and Christians continue to fear the pressures to convert to Hinduism under the Modi regime, especially impoverished people. As recent as late last year, “more than 50 impoverished Muslim families in a slum in the northern Indian city of Agra attended a simple but controversial ceremony at which they were asked by a Hindu priest to chant and throw offerings into the holy fire in front of some Hindu idols. The priest then welcomed the Muslims into the Hindu fold. Some Muslims in the neighborhood of trash collectors told local reporters that it was all a fraud. They said that a Hindu activist had assured them that by attending the ceremony, they will get the government’s coveted “below-poverty-line” identity card and access to state welfare assistance in health and education.”<sup>33</sup> These forced conversions by trickery or fraud are part of an elaborate scheme by the ruling Hindu nationalist Bharatiya

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<sup>32</sup> [http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?\\_r=1](http://www.nytimes.com/2014/12/24/world/asia/india-narendra-modi-hindu-conversions-missionaries.html?_r=1)

<sup>33</sup> <http://www.washingtonpost.com/blogs/worldviews/wp/2014/12/12/are-poor-indian-muslims-being-forced-to-convert-to-hinduism/>



Janata Party (BJP) to steer the country of India towards a Hindu nationalist identity and destroy the principles of free religion upheld but arbitrarily enforced in the Indian constitution and laws. According to the article linked below, lawmakers called it “a diabolic agenda” of Modi’s regime. Further, the BJP have stated that “the Hindu scripture Bhagavad-Gita should be declared a ‘national scripture’”, they wanted to convert Christians to Hindus before Christmas, and “Bhagavad-Gita was above the nation’s constitution.”<sup>34</sup>

3. 2008 burning of Christian churches and killing of nuns in Orissa amongst other areas.<sup>35</sup>
4. Forced conversions of Muslims and Christians throughout last twenty years.<sup>36</sup>
5. 1992 demolition of Babri Mosque and building of Ram Mandir (Temple) at the site of Babri Mosque.<sup>37</sup>

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<sup>34</sup> <http://www.washingtonpost.com/blogs/worldviews/wp/2014/12/12/are-poor-indian-muslims-being-forced-to-convert-to-hinduism/>

<sup>35</sup> [http://en.wikipedia.org/wiki/Anti-Christian\\_violence\\_in\\_India](http://en.wikipedia.org/wiki/Anti-Christian_violence_in_India) ;  
[http://www.iirf.eu/index.php?id=66&no\\_cache=1&tx\\_ttnews%5Bpointer%5D=13&tx\\_ttnews%5BbackPid%5D=26&tx\\_ttnews%5Btt\\_news%5D=761](http://www.iirf.eu/index.php?id=66&no_cache=1&tx_ttnews%5Bpointer%5D=13&tx_ttnews%5BbackPid%5D=26&tx_ttnews%5Btt_news%5D=761);  
[http://en.wikipedia.org/wiki/Religious\\_violence\\_in\\_Odisha](http://en.wikipedia.org/wiki/Religious_violence_in_Odisha)

<sup>36</sup> [http://en.wikipedia.org/wiki/Agra\\_religious\\_conversions\\_2014](http://en.wikipedia.org/wiki/Agra_religious_conversions_2014);  
<http://www.washingtontimes.com/news/2014/dec/14/rahat-husain-militant-hindu-groups-plan-conversion/>

<sup>37</sup> [http://en.wikipedia.org/wiki/Demolition\\_of\\_the\\_Babri\\_Masjid](http://en.wikipedia.org/wiki/Demolition_of_the_Babri_Masjid);  
<http://www.wsws.org/en/articles/2014/04/18/babr-a18.html>

**G. Law for designation of FTO under §219 of the INA, as amended**

1. It must be a *foreign organization*.
2. The organization must *engage in terrorist activity*, as defined in section 212(3)(B)(iii) and (iv) of the INA (8 U.S.C. §1182(a)(3)(B)), or *terrorism*, as defined in section 140(d)(2) of the Foreign Relations Authorization Act, 22 U.S.C. § 2656f(d)(2), *or retain the capability and intent to engage in terrorist activity or terrorism*.
3. The organization's terrorist activity or terrorism must threaten the security of U.S. nationals or the national security (national defense, foreign relations, or the economic interests) of the United States.

Terrorist Activity is defined under INA Section 212(a)(3)(B)(iii) as “any activity which is unlawful under the laws of the place where it is committed” including “ high-jacking or sabotage of any conveyance”; “seizing or detaining, and threatening to kill, injure, or continue to detain, another individual in order to compel a third person (including a governmental organization) to do or abstain from doing any act as an explicit or implicit condition for the release of the individual seized or detained”; “[a] violent attack upon an internationally protected person (as defined in section 1116(b)(4) of title 18, United States Code) or upon the liberty of such a person”; “assassination”; “use of any- (aa) biological agent, chemical agent,

or nuclear weapon or device, or (bb) explosive, firearm, or other weapon or dangerous device (other than for mere personal monetary gain), with intent to endanger, directly or indirectly, the safety of one or more individuals or to cause substantial damage to property”; or “threat, attempt, or conspiracy to do any of the foregoing.”

Being engaged in terrorist activity is defined under INA Section 212 (a)(3)(B)(iv) as “in an individual capacity or as a member of an organization- (I) to commit or to incite to commit, under circumstances indicating an intention to cause death or serious bodily injury, a terrorist activity; (II) to prepare or plan a terrorist activity; (III) to gather information on potential targets for terrorist activity; (IV) to solicit funds or other things of value for-- (aa) a terrorist activity; (bb) a terrorist organization described in clause (vi)(I) or (vi)(II); or (cc) a terrorist organization described in clause (vi)(III), unless the solicitor can demonstrate by clear and convincing evidence that he did not know, and should not reasonably have known, that the organization was a terrorist organization; (V) to solicit any individual-- (aa) to engage in conduct otherwise described in this subsection; (bb) for membership in a terrorist organization described in clause (vi)(I) or (vi)(II); or (cc) for membership in a terrorist organization described in clause (vi)(III) unless the solicitor can demonstrate by clear and convincing evidence that he

did not know, and should not reasonably have known, that the organization was a terrorist organization; or (VI) to commit an act that the actor knows, or reasonably should know, affords material support, including a safe house, transportation, communications, funds, transfer of funds or other material financial benefit, false documentation or identification, weapons (including chemical, biological, or radiological weapons), explosives, or training-- (aa) for the commission of a terrorist activity; (bb) to any individual who the actor knows, or reasonably should know, has committed or plans to commit a terrorist activity; (cc) to a terrorist organization described in subclause (I) or (II) of clause (vi) or to any member of such an organization; or (dd) to a terrorist organization described in clause (vi)(III), or to any member of such an organization; unless the actor can demonstrate by clear and convincing evidence that the actor did not know, and should not reasonably have known, that the organization was a terrorist organization.”

Terrorism as defined under section 140(d)(2) of the Foreign Relations Authorization Act, 22 U.S.C. § 2656f(d)(2) is defined as “premeditated, politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents.”

## H. ANALYSIS OF RSS TO THE LAW FOR DESIGNATION AS FTO

Over the previous years as noted herein, RSS, a foreign organization originating in India and being one of the dominant parties in India, has intensified its campaign of terrorism, including acts of random and targeted violence and threats against members of minority religions and sympathizers who act against the spread of Hindu nationalism throughout the subcontinent of India. RSS has “[in the aftermath of the Gujarat earthquake in 2001] ... distributed relief selectively to upper-caste victims, neglecting Dalits and Muslims. The RSS also organized [sic] shakhas [local chapters] in relief camps. At Adhoi village, Vishwa Hindu Parishad (VHP) preachers gave lectures every night on the need to be vigilant against Christians and Muslims. RSS volunteers allegedly threatened other relief workers with harm unless they left Kutch” (Bunsha 2004). The U.S. counterparts of the militant Rashtriya Swayamsevak Sangh (RSS) and the Vishwa Hindu Parishad (VHP) — the Hindu Swayamsevak Sangh (HSS, identification number 52-1647017) and the VHP of America (VHPA, identification number 51- 0156325), respectively—both operate youth camps and education programs to promote “Hindu culture” and to encourage young Hindus to “develop pride in their Hindu identity”<sup>38</sup>

<sup>38</sup> <http://www.frontline.in/static/html/fl2108/stories/20040423003504300.htm>

This blatant disregard for the rights of minority religions is a grave threat to the United States of America and the security of such persons residing within the United States.

Additionally, RSS, while exclusively an outfit for males, has begun recruiting young female members as young as thirteen and as old as thirty-five with the same hate-filled ideologies as it distills into its male members. Female members, usually shy and soft spoken, are taken from their families and brainwashed with notions such as "[w]e'll die for our beliefs!" and "[w]e'll kill anyone who gets in our way!"<sup>39</sup> This forced indoctrination and arming of Indian youth to assemble a fighting force targeting religious minorities in India and spread throughout the world like wildfire must not be tolerated or condoned by any civilized country. The efforts to stop this growing significant terrorist threat exist in the law of this nation and in Executive Order 13224. Consequently, RSS should be designated an FTO.

Accordingly, designating RSS an FTO will ensure that the Department of Justice has the necessary legal authorities to prosecute individuals associated with RSS for any terrorism related crimes within the U.S. Homeland. It will also allow the Department of Treasury the authority to designate individuals within RSS for illicit fundraising. Currently, neither the Departments of

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<sup>39</sup> <http://www.bbc.com/news/world-asia-india-29798148>

Justice nor Treasury can take such actions without FTO designation creating unnecessary risk. In addition, FTO designation will also ensure that all other members of the U.S. Intelligence Community have every military, intelligence, diplomatic, and economic tool at their disposal to disrupt and deter RSS's operations, planning, and fundraising both internationally and domestically.

### **I. FAILURE OF DEFENDANT TO DESIGNATE RSS AS FTO**

To this date, Plaintiff has yet to receive any notification from Defendant and it is clear that Defendant has failed to act in conformity with its obligations. Plaintiff therefore brings this complaint for Mandamus pursuant to 28 U.S.C. §1361, the federal question statute, 28 U.S.C. §1331 and for Declaratory Judgment under the Administrative Procedures Act ("APA"), 5 U.S.C. §§555(b) and 706(1) and Declaratory Judgment Act, 28 U.S.C. § 2201.

### **II. PARTIES**

Plaintiff Sikhs For Justice, Inc. is a registered not-for-profit organization duly organized under the laws of the State of New York and dedicated advocacy of human rights particularly rights and issues pertaining to the religious minorities.

Defendant is the United States Secretary of State.



### III. JURISDICTION AND VENUE

Jurisdiction is proper for Mandamus pursuant to 28 U.S.C. §1361, the federal question statute, 28 U.S.C. §1331 and Declaratory Judgment under the Administrative Procedures Act (“APA”), 5 U.S.C. §§555(b) and 706(1) and Declaratory Judgment Act, 28 U.S.C. § 2201.

Venue is proper in the Southern District of New York pursuant to 28 U.S.C. § 1391(e) because Plaintiff is a registered not-for-profit corporation of this state and there is no real property involved in this action. This Court has personal jurisdiction over Defendant.

There is a six-year statute of limitations in this action under a limit against suits against the U.S. government. 28 U.S.C. § 2401(a). The clock in this action started with plaintiff's December 2014 letter.

### IV. CLAIMS FOR RELIEF

Plaintiff's causes of action include the following:

#### *AS AND FOR A FIRST CAUSE OF ACTION DECLARATORY JUDGMENT*

1. Plaintiff reiterates, repeats, and re-alleges all prior paragraphs as if made with the same force and effect herein.
2. Plaintiff has a clear right to the relief requested.

3. Defendant has a clear duty to perform the act in question to act pursuant to the letter sent by Plaintiff in December 2014 to designate RSS a foreign terrorist organization under the law cited herein.
4. Such clear right to relief is found in the INA specifically allows the government and imposes an obligation on the government, specifically Defendant, to carry out such obligation to Plaintiff and consequently Defendant owes Plaintiff a duty to designate RSS as a foreign terrorist organization under the law cited herein.
5. It is clear from the allegations made herein and in the letter of December 2014 that RSS is in fact a foreign terrorist organization under the cited law.
6. This duty is both mandatory as required by law and ministerial.
7. The letter sent by Plaintiff to Defendant in December 2014 is annexed.
8. Defendant has failed to take any action within a reasonable amount of time.
9. By reason of the foregoing, an actual and justiciable controversy exists between Plaintiff and Defendant and Plaintiff therefore seeks a declaratory judgment that Defendant owes Plaintiff a duty to designate RSS as a foreign terrorist organization and further that RSS is in fact a foreign terrorist organization under the cited law as alleged herein.

*AS AND FOR A SECOND CAUSE OF ACTION  
WRIT OF MANDAMUS*

10. Plaintiff reiterates, repeats, and re-alleges all prior paragraphs as if made with the same force and effect herein.
11. Plaintiff has a clear right to the relief requested.
12. Defendant has a clear duty to perform the act in question to act pursuant to the letter sent by Plaintiff in December 2014 to designate RSS a foreign terrorist organization under the law cited herein.
13. Such clear right to relief is found in the INA specifically allows the government and imposes an obligation on the government, specifically Defendant, to carry out such obligation to Plaintiff and consequently Defendant owes Plaintiff a duty to designate RSS as a foreign terrorist organization under the law cited herein.
14. This duty is both mandatory as required by law and ministerial.
15. The letter sent by Plaintiff to Defendant in December 2014 is annexed.
16. Defendant has failed to take any action within a reasonable amount of time.
17. No other adequate remedy is available at law.
18. No judicial alternative is available.
19. By reason of the foregoing, an actual and justiciable controversy exists between Plaintiff and Defendant and Plaintiff therefore seeks a writ of mandamus against Defendant with respect to the duty owed Plaintiff by Defendant to designate RSS as a foreign terrorist organization and further

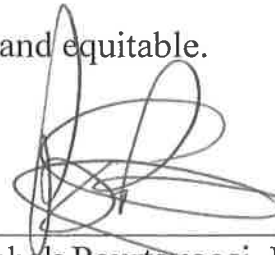
for this honorable Court to find that RSS is in fact a foreign terrorist organization under the cited law as alleged herein.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

- a. For a Writ of Mandamus to issue ordering Defendant to act within his authority to declare RSS a foreign terrorist organization under the authority cited herein;
- b. For a Declaratory Judgment holding that RSS is a foreign terrorist organization under the authority cited herein;
- c. For such, other, further, or different relief as this honorable Court may deem to be just, proper, fitting, and equitable.

Dated: January 21, 2015



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## **EXHIBIT "1"**

"HINDU NATIONALISM IN THE UNITED STATES: A REPORT ON  
NONPROFIT GROUPS"

## **Hindu Nationalism in the United States: A Report on Nonprofit Groups**

**July 2014**

*J. M.  
us.hindu.nationalism@gmail.com*

*This report compiles publicly available tax records, newspaper articles, and other materials on non-profit groups in the United States affiliated with the Sangh Parivar (family of Hindu nationalist groups) from 2001-2014, documenting a segment of the projects and priorities of U.S.-based Hindu nationalism.*

*Released via sacw.net*

## Table of Contents

<b>Executive Summary .....</b>	<b>3</b>
Figure 1. Four Areas of Hindu Nationalist Activities in the U.S. Indian Diaspora .....	5
<b>The Sangh Parivar in the United States .....</b>	<b>6</b>
Methodology .....	8
<b>The Sangh's Youth and Family Programs .....</b>	<b>10</b>
Figure 2. U.S. Cities with HSS Shakhas/Balagokulams, 2014 .....	12
Table 1. VHP-America Chapters, 2014 .....	13
Table 2. Attendance and Monies Allocated toward HSS Shakhas and VHPA Bal Vihars, 2002-2012 .....	14
<b>Charities: Funding Sangh Projects .....</b>	<b>16</b>
Table 3. IDRF Disbursements and Supported Organizations, 2002-2012 .....	17
Table 4. Monies Allocated to Program Services by Sangh-affiliated Charitable Groups, 2001-2012 .....	18
Figure 3. Percentage Breakdown of Total Program Expenditures of 5 Sangh Charitable Groups, 2001-2012 .....	19
Figure 4. Program Expenditures of Five Sangh Charitable Groups, by Year, 2001-2012 .....	19
Figure 5. Donation Recipient Profiles: The Lodai Project and the Ekal Vidyalaya Foundation of India .....	22
<b>Hindutva in Academic Arenas .....</b>	<b>23</b>
Figure 6. Vivek Welfare and Educational Foundation Contributions to Hindu University and Hindu University Expenses, 2002-2008 .....	25
Table 5. Infinity Foundation Allocations, 2002-2013 (Selected) .....	27
<b>Leadership in Indo-American Communities .....</b>	<b>28</b>
Table 6. Hindu American Foundation's Hindu Nationalist Connections .....	31
<b>Further Steps .....</b>	<b>32</b>
<b>Appendix A: Leadership overlaps within Hindu nationalist organizations .....</b>	<b>34</b>
<b>Appendix B: Listing of U.S. Cities with HSS Shakhas/Balagokulams, 2014 .....</b>	<b>35</b>
<b>Acronyms and Glossary .....</b>	<b>36</b>
<b>References .....</b>	<b>37</b>
U.S. Code .....	48
Tax Materials and State Filings .....	48



*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

***Executive Summary***

1. Over the last three decades, a movement toward Hinduizing India—advancing the status of Hindus toward political and social primacy in India— has continued to gain ground in South Asia and diasporic communities. The Sangh Parivar (the Sangh “family”), the network of groups at the forefront of this Hindu nationalist movement, has an estimated membership numbering in the millions, making the Sangh one of the largest voluntary associations in India. The major organizations in the Sangh include the **Rashtriya Swayamsevak Sangh (RSS)**, **Vishwa Hindu Parishad (VHP)**, **Bajrang Dal**, and **Bharatiya Janata Party (BJP)**.

2. Hindu nationalism has intensified and multiplied forms of discrimination, exclusion, and gendered and sexualized violence against Muslims, Christians, other minorities, and those who oppose Sangh violations, as documented by Indian citizens and international tribunals, fact-finding groups, international human rights organizations, and U.S. governmental bodies.

3. India-based Sangh affiliates receive social and financial support from its U.S.-based wings, the latter of which exist largely as tax-exempt non-profit organizations in the United States: **Hindu Swayamsevak Sangh (HSS)**, **Vishwa Hindu Parishad of America (VHPA)**, **Sewa International USA**, **Ekal Vidyalaya Foundation-USA**. The **Overseas Friends of the Bharatiya Janata Party - USA (OFBJP)** is active as well, though it is not a tax-exempt group.

***Youth and Family Programs***

4. Sangh-affiliated youth and family programs, such as those held by the **Hindu Swayamsevak Sangh** and the **Vishwa Hindu Parishad of America**, have concentrated their classes, camps, events, and materials on Hindu cultural identity. As of May 2014, there were 140 HSS shakhas (chapters) in the United States listed on the HSS website. Between 2002 and 2012 the HSS and VHP have collectively spent more than \$2.5 million on youth and family programs. Literature used by such programs often prioritize a version of history and culture that highlights the Sangh Parivar leadership of India and Brahminical (upper-caste) narratives and practices, while diminishing the struggles and contributions of lower caste and non-Hindu communities.

5. In 2009, Sangh-affiliated Hindu Students Council (HSC) student groups were present on 78 U.S. and Canadian university and college campuses, including those of Duke University, Emory University, Johns Hopkins University, Massachusetts Institute of Technology, McGill University, New York University, University of Wisconsin at Madison, Stanford University, Syracuse University, University of California at Berkeley, Irvine, and San Diego, University of Ottawa, and University of Texas at Austin and Houston.

***Charitable Organizations***

6. From 2001 and 2012, five Sangh-affiliated charitable groups (**India Development and Relief Fund**, **Ekal Vidyalaya Foundation of America**, **Param Shakti Peeth**, **Sewa International**, and **Vishwa Hindu Parishad of America**) allocated over \$55 million dollars to their program services, funds which are largely sent to groups in India. Several of the recipient groups have affiliations with the India-based Sangh Parivar, and more investigation is needed into:

a) other funding channels from the United States;

*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

- b) whether the monies collected were allocated to the purposes reported to the Internal Revenue Service; and
- c) the effects of funding recipients' work.

*Academic and associated sites*

7. Hindu nationalist groups have increasingly inserted themselves into curricular, administrative, and financing arenas in academic and educational institutions, specifically in the disciplines of history, religious studies, Indology and other fields. Particular projects include the establishment and operation of a religious college, the **Hindu University of America**, at least one religious studies conference (**World Association for Vedic Studies**), and funding institutions, such as the **Infinity Foundation** and the **Vivek Welfare and Educational Foundation**. From 2001 to 2013, the Infinity Foundation gave more than \$1.9 million to researchers, academic associations, and academic departments around the world, including the Association for Asian Studies, California Institute of Integral Studies, the Center for the Study of Developing Societies, Columbia University, Harvard University, Melbourne University, National Institute of Advanced Studies, Rutgers University, University of Hawaii, and the University of Texas at Austin.

*Sangh Leadership in Indo-American Communities*

8. Over the last two decades, Sangh-affiliated organizations have emerged as leaders in Indo-American communities. Major events include:

- a) **Overseas Friends of the BJP (OFBJP)** co-hosted a luncheon on Capitol Hill in early March 2002 with two other major Indian-American organizations, while BJP-ruled Gujarat witnessed mass killings of Muslims.
- b) OFBJP members and the **Asian American Hotel Owners Association (AAHOA)** were among the leadership that sought to host Gujarat Chief Minister Narendra Modi as an honored guest speaker in 2005.
- c) In the California textbook controversy of 2005-2006, the **Vedic Foundation** and **Hindu Swayamsevak Sangh's** educational wing, the **Hindu Education Foundation**, led an effort to insert edits into California textbooks that foregrounded Hindu nationalist priorities and downplayed gender and caste oppression in Ancient India.
- d) Since the textbooks controversy, the **Hindu American Foundation** has become a voice for Hindu nationalist interests to U.S. politicians.

*Further Steps*

9. Further investigations are needed to explore:

- a) possible legal culpability of U.S.-based Sangh groups and members in Sangh-led violent acts in South Asia;
- b) possible violations of 501(c)(3) regulations and restrictions; and
- c) the involvement of other U.S.-based groups and individuals in supporting violence perpetrated by Hindu nationalist groups.

*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

**Figure 1. Four Areas of Hindu Nationalist Activities in the U.S. Indian Diaspora**  
*Each tax-exempt organization is listed with its identification number as registered with the United States Internal Revenue Service*

<p><b>Youth / Family Programs</b></p> <ul style="list-style-type: none"> <li>• Hindu Students Council (HSC, 72-1551978)</li> <li>• Hindu Swayamsevak Sangh (HSS, 52-1647017)</li> <li>• Vishwa Hindu Parishad of America (VHPA, 51-0156325)</li> <li>• Vishwa Hindu Parishad Overseas (VHPO, 04-3576058)</li> </ul>	<p><b>Charitable Funding</b></p> <ul style="list-style-type: none"> <li>• Ekal Vidyalaya Foundation of USA (EVFA, 77-0554248)</li> <li>• Hindu Charity Trust of Texas (51-0555401)</li> <li>• India Development and Relief Fund (IDRF, 52-1555563)</li> <li>• Param Shakti Peeth of America (71-0916422)</li> <li>• Sewa International-USA (20-0638718)</li> <li>• Vishwa Hindu Parishad of America (VHPA, 51-0156325)</li> <li>• Vivek Welfare and Education Fund (VWEF, 59-3623323)</li> </ul>
<p><b>Circulation of Hindu Nationalist Discourse in Academic and Para-Academic Spaces</b></p> <ul style="list-style-type: none"> <li>• Hindu University of America (HUA, 59-2977691)</li> <li>• Infinity Foundation (22-3339826)</li> <li>• Vivek Welfare and Education Fund (VWEF, 59-3623323)</li> <li>• World Association for Vedic Studies Conferences (WAVES, 72-1350935)</li> </ul>	<p><b>Public Campaigns</b></p> <ul style="list-style-type: none"> <li>• California Parents for the Equalization of Educational Materials (CAPEEM, 56-2565521)</li> <li>• Educators' Society for the Heritage of India (ESHI, 20-1200065)</li> <li>• Hindu American Foundation (HAF, 68-0551525)</li> <li>• Hindu Education Foundation (a wing of the HSS)</li> <li>• Hindu International Council Against Defamation (HICAD, 22-3810334)</li> <li>• Overseas Friends of the BJP (OFBJP) (not tax-exempt)</li> <li>• Vedic Foundation (affiliate of JKP Radha Madhav Dham, 74-2673063)</li> </ul>

*Hindu Nationalism in the United States: A Report on Nonprofit Groups***The Sangh Parivar in the United States**

Historical and present violence in South Asia perpetrated by a network of militant Hindu nationalist groups, called the Sangh Parivar (the Sangh “family”), has prompted calls for research into its U.S.-based wings. These counterparts largely operate as cultural, educational, and charitable funding organizations, conducting social programs involving wealthy and middle-class Indo-American families. This report examines some of Hindu nationalism’s major projects in the U.S. from 2001 to 2014, their priorities in diaspora and connections to India. It discusses some of the key U.S.-based institutions, the targets of their influence and recipients of their funding, and the production of Sangh’s cultural, religious, and historical truths. This information has been compiled as a resource to better understand Hindu nationalism and to inform critical responses to the forms of violence it fuels.

The website of the U.S.-based Hindu Swayamsevak Sangh (HSS), a tax-exempt,<sup>1</sup> non-profit organization, states that it is “essential for Hindus living in America to develop unity and harmony in their community”; an overseas counterpart of a Hindu nationalist leadership wing, the Rashtriya Swayamsevak Sangh (RSS, National Volunteer Corps) of India, the HSS works toward this unity by “organiz[ing] the Hindu community... to preserve, practice and promote Hindu ideals and values” in the United States (HSS 2009a). Hindutva,<sup>2</sup> the ideology that underpins Sangh narratives and its forms of “Hindu values and culture,” advocates the establishment of India as a Hindu nation based on the political supremacy of Hindus, a social order organized by an “exclusionary canon whereby all non-Hindus, and dissenting Hindus, identified as traitors, are conceptualized as second-class citizens,” justifying their systematic mistreatment or heightened assimilation into the Hindu nation

(Chatterji 2009: 101; Narayan 2009; see also Jaffrelot 1996: 25-33).

The Sangh’s large-scale anti-Muslim and anti-Christian violence, including gendered and sexualized violence, and destruction of sites of spiritual importance—as in Gujarat 2002<sup>3</sup> and Orissa 2007-2008—have received scrutiny from scholars, journalists, Indian and international human rights groups, as well as government reports.<sup>4</sup> Sangh actions against its opponents<sup>5</sup> have also received international attention, as with the harassment of human rights defenders in Gujarat (HRW 2004) and the intimidation and threats of rape and assault against women members of the Indian People’s Tribunal on Communalism<sup>6</sup> in Orissa in 2005 (Williams and Pocha 2005). The Sangh’s political ascendancy in India since the 1920s has fueled an “authoritarian, xenophobic and majoritarian religious nationalism,” polarizing culture and society against religious, ethnic, cultural, sexual and gender minorities,<sup>7</sup> and the Sangh’s opponents (Bhatt 2001: 4). Hindu nationalist violence is further exacerbated by the ineffectiveness of Indian state agencies to deliver justice and accountability for its religious minorities, as noted by the U.S. Commission on International Religious Freedom, which placed India on its Watch List/Tier 2 status for the sixth year in a row in 2014 (USCIRF 2014: 121).

The RSS is known in India for its extensive network of chapters of martial and ideological training for men and boys (see Jaffrelot 1996: 33-35). While the RSS membership roster remains unavailable for public scrutiny, a 2008 article from *The Times* reported that the RSS claimed 8 million members at the time; its social-cultural wing, the Vishwa Hindu Parishad (VHP, World Hindu Council), claimed 6.8 million members, and membership in one does not preclude membership in another (Page and Blakely 2008). The Sangh’s decentralized network of affiliates includes women’s groups, student

*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

organizations, workers' associations, political parties, educational institutions, disaster relief and development groups, police personnel, and government officials, making the Sangh one of the most widespread and influential voluntary associations in South Asia (see Berti, Jaoul, and Kanungo 2011; Hansen 1999; Human Rights Watch 2002; Jaffrelot 1996, 2007; Narayan 2009; Puniyani 2004).

The Sangh's social and charitable programs have energized the rise of Hindu nationalism. Sangh-run educational and development projects in India advance the "standardization and homogenization of Hinduism," circulating the "defense of the Hindu nation" discourse that justifies the destruction of certain minorities and the assimilation of others into a Brahmanical social order (Hansen 1999: 102; Sundar 2004). Sangh-affiliated groups in diaspora, some of them tax-exempt organizations, fund and bolster this infrastructure in India while building the Sangh's social capital among Indo-American communities. Diasporic charitable funding of Hindu nationalist relief and development work has been met with concern in diaspora as activists called for attentiveness to certain charitable groups and their links to the Sangh in India (Sabrang and South Asia Citizens Web 2002; Awaaz 2004).

While Hindutva operates in India often with state and police complicity<sup>8</sup> and the support of Hindu cultural dominance<sup>9</sup>— the ordering of society in ways that benefit upper caste, upper class Hindus— Sangh groups must navigate different landscapes of strategies, social institutions, and hierarchies in the United States, where "Hindu" is one of many minority identities. Bhatt and Mukta observed in 2000 that diasporic Hindu nationalism in the U.S. and U.K. has been able to "translate" the experiences of "discrimination or minority status in the West [into] religious and ethnic terms to create new languages of majorities and minorities that are rearticulated as coherent ideologies of

religious or ethnic nationalism," consolidating political will in diaspora to support the Hindu nation (Bhatt and Mukta 2000: 409). Such cultural and political assertions, aided by the sharp rise of information technologies in the 1990s, are part of new forms of long-distance nationalism whose dialogues with the homeland have become more immediate and intimate (Appadurai 1996: 196).

The use of upper-caste cultural narratives and practices in alignment with Hindu dominance in India to respond to the realities of being a minority in the U.S. is cultivated through increasing numbers of Sangh social programs, including youth programs and family camps. The Sangh's expanding influence among Indo-American communities accompanies a current of approval or indifference to the Sangh's violent actions in India, as minorities continue to live in increasingly polarized and precarious conditions (Prakash 2009; U.S. State Department [Bureau of Democracy, Human Rights, and Labor] 2009). This report is one response to the calls for an examination of diasporic Hindu nationalism, seeking to lay the groundwork for further investigations into what might constitute accountability and justice across political boundaries.



*Hindu Nationalism in the United States: A Report on Nonprofit Groups**Methodology*

This report discusses the strategies and activities of Hindu nationalist groups in the United States in four areas of mobilization.

The first section explores major youth programs run by the Hindu Swayamsevak Sangh (Balagokulam), the Vishwa Hindu Parishad of America (Bal Vihar), and the Hindu Students Council, offering reflections on how such programs might direct the youth toward support for Hindu nationalist narratives and acceptance of the Sangh figures and groups as authority figures and leaders in diaspora.

The second examines five Sangh-affiliated charitable organizations and the funds they have channeled to Indian-based Hindu nationalist groups. The information draws on the work of other researchers in the U.S. and U.K. and on tax documents filed by the Sangh-affiliated U.S. organizations to look at the amounts of monies that have been channeled over the last decade.

Section three covers some Sangh groups' attempts to insert Hindu nationalist discourse into academic institutions by scrutinizing the funding recipients of the Infinity Foundation and the types of work and the teachers and presenters prioritized at Hindu University of America and the conferences hosted by the World Association for Vedic Studies, as well as the intense pressure that have been directed at scholars and faculty of South Asia who do not align with Hindu nationalism.

The fourth section is on the emergence of Hindu nationalist figures and groups as leaders in Indo-American communities, focusing on the 2005-2006 California textbook controversy and other events.

This report uses information from the websites of Sangh groups and other affiliated organizations, including image galleries, previous versions of websites as archived by Google cache or online archives. Images and

website pages were downloaded manually or via offline-browsing software (e.g. *wget*). Much of the information in this report regarding finances and membership is self-reported by the groups themselves to the Internal Revenue Service or gathered from the organizations' websites, and requires further verification.

Each organization's IRS documents--tax returns (form 990, 990-EZ, or 990-PF) and applications for tax-exempt status (form 1023) and--were accessed via online services such as Guidestar or requested from the U.S. Internal Revenue Service. References to the line item locations of the figures in the tax documents are in the captions for each table.

*Notes*

<sup>1</sup> "Tax-exempt" in this research refers to organizations registered with the United States Internal Revenue Service (IRS) under U.S. Revenue Code Section 501(c)(3). Each tax-exempt group discussed in this report has a tax identification number, which has been included to disambiguate Sangh groups from others that share similar names. The qualifications for this status can be found on the IRS website (U.S. Department of the Treasury, Internal Revenue Service 2010).

<sup>2</sup> Hindutva: the ideology of Hindu nationalism, which is underpinned by the notions that India should be a Hindu nation, that there is a limited set of correct ways to be "Hindu". Hindutva poses minority interests and equitable social relations as contrary to its understanding of a strong Hindu nation, forming a social terrain of normalized, gendered mistreatment against religious and political minorities (Jaffrelot 1996; Sharma 2006; see Savarkar's text, Savarkar 1969).

<sup>3</sup> In the spring of 2002, Sangh Parivar members led massacres against Muslims of Gujarat on a massive scale, killing, raping, and mutilating women and men, young and old, reportedly with state and police complicity and support. Official Indian government figures place the toll at 1,180 (Misra 2009), though human rights groups

*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

reported estimates of approximately 2,000 dead (Citizens for Justice and Peace 2002, Volume II: 128; Human Rights Watch 2002: 4; International Initiative for Justice 2003: 2). As stated by Cedric Prakash, Gujarat-based human rights activist, as of 2009 many of the Muslims of Gujarat still live in “dehumanizing conditions” and “yearn for justice,” seeking rehabilitation and life in Gujarat “without fear of discrimination and / or ostracization... [and] illegal detention” (Prakash 2009).

<sup>4</sup> See Amnesty International 2005; Citizens for Justice and Peace 2002; Human Rights Watch 2002; International Initiative for Justice 2003; Jaffrelot 1996: 458-468; Liberhan Ayodhya Commission 2009; Srikrishna Commission 1998; Tehelka 2007; The Times of India 2009; U.S. State Department’s International Religious Freedom Reports 2001-2011.

<sup>5</sup> In India, the Sangh’s violence and its aftermath are confronted by numerous civil society groups and activists, including those that provide humanitarian aid and legal services, conduct communal harmony and community empowerment work, and undertake politically immersed scholarship, including: Prashant (A Center for Human Rights, Justice, and Peace), Act Now for Harmony and Democracy (ANHAD), Aman Biradari, Jan Vikas, People’s Union for Civil Liberties, and Sabrang Communications, among many others.

<sup>6</sup> In the context of South Asia, “communalism” is understood as conflict between religious communities. The term is described more in-depth by Romila Thapar as “an intermeshing of ideology and power, where groups aspiring to power use a particular religious ideology to subvert a social order and replace it with an order that is based on sharp differentiations between those who accept the ideology and those who do not” (Thapar 2000c: 1099).

<sup>7</sup> See Bacchetta 1999; Basu et al 1993; Bhatt 2001; Brass 2003; Shani 2007; IPT 2006; Nussbaum 2007; Puniyani 2004; Sarkar and Butalia 1995.

<sup>8</sup> See HRW 2002; U.S. Commission on International Religious Freedom 2010: 243-247.

<sup>9</sup> Hindu cultural dominance: the arrangement of social and political life toward the benefit and ascendancy of particular Hindus, in which certain upper-caste values, texts, and practices provide the markers of the “only ‘right’ way to be human, citizen, patriot,” erasing the diversity of syncretic cultural practices in India, labeled as Hindu or otherwise (Chatterji 2009: 41).



### The Sangh's Youth and Family Programs

Over the last two decades, Hindu nationalism has gained strength as a framework through which the diaspora engages with identity, homeland, culture, and history. The Sangh's project to bring about "Hindu unity" in the face of the diversity of Indo-American communities requires an infrastructure to privilege certain (upper-caste) cultural practices and narratives as "Hindu" and "syndicating" them as more important than others<sup>10</sup> (Thapar 2000b). Aided in a U.S. landscape where South Asian social interactions are often divided along religious lines, the Sangh functions "as a reservoir of knowledge and skills... teaching families how they could retain their culture," and that this culture is "Hindu," with little emphasis of the legacies of "complex shared histor[ies] that [include] those who are not Hindus" (Mohammad-Arif 2002: 213; Rajagopal 2000: 474; Prashad 2000: 148).

The U.S. counterparts of the militant Rashtriya Swayamsevak Sangh (RSS) and the Vishwa Hindu Parishad (VHP)—the **Hindu Swayamsevak Sangh** (HSS, identification number 52-1647017) and the **VHP of America** (VHPA, identification number 51-0156325), respectively—both operate youth camps and education programs to promote "Hindu culture" and to encourage young Hindus to "develop pride in their Hindu identity" (HSS 2009a; VHPA 2014a). The **Vishwa Hindu Parishad Overseas (VHPO)**, or **World Hindu Council** (identification number 04-3576058), formed in 2002, focuses its funds on yoga classes and educational materials, and at one time hosted religious speakers and in 2003 devoted funds to the "Global Dharma Conference" in New Jersey. According to VHPO's tax returns from 2002-2008, it deals with significantly less funds than the VHPA.

There appears to be little difference between HSS and VHPA classes' descriptions

in the tax returns, aside from the HSS's use of English and the VHPA's emphasis on South Asian languages. The HSS registered as a tax-exempt organization in 1989 and listed 140 chapters in operation on its website as of May 2014, located largely in urban centers (HSS's IRS form 1023, HSS 2014a; see Figure 2). Its 2003 tax return states that it holds a weekly class, called **Balagokulam**, "to give children Hindu Universal Family values through Yoga and games," taking place in Hindu temples or community centers.<sup>11</sup> On the HSS website, Balagokulam chapters are referred to as *shakhas*, the term also used by the RSS for its chapters in India (Jaffrelot 1996: 35-40; HSS 2014b).

Another element of the Indian Sangh that appears in Balagokulam sessions is the inclusion of a prayer to a saffron flag, the *dhvaj*, regarded as "a symbol [of the Sangh's] Dharma and culture representing purity, knowledge and sacrifice" (Balagokulam 2009; HSS 2009b). Saffron flags carry a social and political charge in South Asia for those who do not align with Hindu nationalism; as witnessed during the mass violence of Gujarat 2002, such flags marked razed mosques as the threat and evidence of Sangh-led destruction, Hindu dominance, and Muslim subjugation (Mander 2002).

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*The VHP, the social-cultural wing of the Sangh Parivar, was formed in 1964 to "supply the pure spirit of the Hindu way of life" to Hindus of the world (Apte 1964). As a result of its activities, it has been called "extremist" in the U.S. State Department's International Religious Freedom Annual Reports, and has been mentioned in every International Religious Freedom Annual Report from 2001-2011 for violations of religious freedom against minorities (U.S. State Department [Bureau of Democracy, Human Rights, and Labor] 2001-2011).*

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*Hindu Nationalism in the United States: A Report on Nonprofit Groups*

Biju Mathew and Vijay Prashad discussed the U.S. Sangh's cultural activities in 2000, placing them in context with immigrant desires to "re-invent their cultural environment to preserve themselves from the onslaught of what they see as an ahistorical and non-contradictory 'American culture,'" with emphasis on raising young people in diaspora (Mathew and Prashad 2000: 520-521). In VHPA-founder Mahesh Mehta's discussion of the VHPA's relation to family life, the cultural education of young people was understood also as a way to prevent the breakdown of domestic relations and the loss of traditional (understood as Brahmanical in many instances)<sup>12</sup> forms of control over the sexuality and obedience-- and in effect, labor and property-- of women and young people, with special concern placed on young women<sup>13</sup> (Rajagopal 2000: 473-474; Mathew and Prashad 2000: 521). Rajagopal observed in 2000 that one of the Sangh's efforts in these spaces was to teach young people "why their families were different and... why this difference was a form of superiority, through stories from Hindu mythology" (Rajagopal 2000: 473; see also Mathew and Prashad 2000).

A 2005 Balagokulam Teacher Handbook provides illustrations of Rajagopal's observations, including:

1. Emphasis on the Vedas, which were historically restricted to upper-caste Hindus and reflect upper-caste cultural values. The Vedas, through complex histories in connection to Orientalism, have become foregrounded "as central and foundational to the 'essence' of Hinduism" (HSS 2005: 78-81; King 1999: 102);
2. Quotes and stories from Indian Sangh leaders K.B. Hedgewar and M.S. Golwalkar (see Jaffrelot 1996: 33-58 for Hedgewar and Golwalkar's politics; HSS 2005: 34, 84-97);
3. The life-story of Chhatrapati Shivaji, who symbolized "courage, heroism, love of the motherland and love of Dharma," demonstrated through battling and beheading Afzal Khan, described as a "Pathan general," coded as "Muslim" in Hindutva's lexicon (HSS 2005: 27; Chatterji 2009: 4); and
4. Linking the rise of forms of mistreatment of Hindu women with "Muslim rule": "Sati, Child-marriage, Ghunghat [wearing of the veil], etc were largely caused by the arbitrary tyrannical rule of the Sultans of Delhi" (HSS 2005: 175).

This cultural repertoire corroborates and reinforces the primacy of Brahmanical cultural forms in diaspora and provides a historical narrative that underpins a current of diasporic approval or apathy to the Sangh's anti-minority and violent politics in South Asia. The U.S. Sangh has continued to receive community support<sup>14</sup> even in the aftermath of the mass killings of Gujarat 2002 and Orissa 2007-2008, with rising participation in its classes, camps, and public events (see Table 2).

*Hindu Nationalism in the United States: A Report on Nonprofit Groups***Figure 2. U.S. Cities with HSS Shakhas/Balagokulams, 2014 (140 chapters)**

Data source: HSS website, *Chapters* (HSS 2014a); Map data ©2014 Google, INEGI, SK M&C, Tele Atlas, ZENRIN  
 The listing of city names can be found in Appendix B.

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### *On the Bajrang Dal*

Of note in the U.S. is the absence of a tax-exempt counterpart for the Sangh's militant youth wing, the **Bajrang Dal**, characterized as "extremist" by the U.S. State Department annual reports on International Religious Freedom for its assaults on religious minorities (see U.S. State Department [Bureau of Democracy, Human Rights, and Labor]: 2002, 2010). The Bajrang Dal's website, Hinduunity.org, is registered to a New York post office box address.<sup>15</sup> The website hosts Hindu supremacist materials and statements, including a "Black List/hitlist" that identifies various persons as having committed "crimes against the Hindu people," ranging from Osama bin Laden to the Pope to journalists to academics and human rights activists; the list includes phone numbers and addresses of some of the latter professionals, such as Angana Chatterji and Biju Mathew (Hinduunity.org 2006). HinduUnity.org was one of the websites banned by the Government of India in the summer of 2006 (Biswas 2006).

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